

# **Sunnyside Gold Corporation**

1888 Sherman Street, Suite 780  
Denver, Colorado 80203  
303-718-4508

February 16, 2015

## **VIA EMAIL & REGULAR MAIL**

Regional Freedom of Information Officer  
U.S. EPA, Region 8  
1595 Wynkoop Street  
Denver, CO 80202-1129  
E-mail: [r8foia@epa.gov](mailto:r8foia@epa.gov)

Re: Freedom of Information Act Request

To Whom It May Concern:

Pursuant to the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552, the United States Environmental Protection Agency's ("EPA") FOIA implementing regulations, 40 C.F.R. Part 2, and any other applicable federal statutes, rules and regulations, Sunnyside Gold Corporation hereby requests the following records<sup>1,2</sup> from EPA:

1. All records generated, modified, received or sent after February 14, 2013, relating to the Consent Decree between Sunnyside Gold Corporation and the Colorado Water Quality Control Division of the Colorado Department of Public Health and Environment, Case No. 94-CV 5499, District Court, City and County of Denver, Colorado (the "Consent Decree"), including but not limited to documents reflecting communications between and among EPA, the State of Colorado and third parties relating to the Consent Decree, and internal EPA communications relating to the Consent Decree.
2. All records generated, modified, received or sent after January 14, 2013, relating to Kinross Gold Corporation, Sunnyside Gold Corporation, Echo Bay Mines Ltd., Echo Bay, Inc., White Pine Gold Corporation and TVX Gold Incorporated.

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1 "Records" as used herein is employed in its broadest sense and includes, but is not limited to, the original, each draft, and any non-identical copies of any written, recorded, electronic or graphic material of any kind, whether prepared by you or by any other person, that are in your possession, custody, or control or that of your agents, attorneys, or accountants.

2 In accordance with the President's directive in the January 21, 2009 Memorandum For The Heads of the Executive Departments and Agencies, EPA is required to provide records in a "form that the public can readily...use." Thus, please provide these records in their original form and in a format that can be manipulated.

3. All records generated, modified, received or sent after January 14, 2013, relating to Washington Mining Company, UV Industries, United States Smelting and Refining Company and Mueller Industries.
4. All records generated, modified, received or sent after January 14, 2013, relating to Todd Hennis, Colorado Goldfields Corporation, San Juan Corporation and Salem Minerals, Inc.
5. All records generated, modified, received or sent after January 14, 2013, relating to Gold King Mines Corporation.
6. All records relating to the Mayflower Mill and Tailings area located in San Juan County, Colorado.
7. All records relating to water quality in the reach of the Upper Animas River between gaging Station A-68 and the gaging station at Howardsville, Colorado.
8. All records generated, modified, received or sent after January 14, 2013, relating to the American Tunnel located in San Juan County, Colorado.
9. All records generated, modified, received or sent after January 14, 2013 relating to Cement Creek located in San Juan County, Colorado.

If any part of this/these record(s) is not produced based on a claim of privilege or other exemption from disclosure, please prepare a privilege and/or exemption log describing, at a minimum: (i) the type of record withheld; (ii) the dates of creation of the record; (iii) the subject of the record; (iv) identity of the author and all recipients of the record; (v) the names of all people, entities and locations referenced in the record; and (vi) a detailed description of the basis upon which EPA is withholding the record and which specific statutory and regulatory provisions support the withholding. To the extent any responsive documents are withheld based upon a claim of privilege or exemption, please produce redacted copies of all non-privileged or non-exempt material contained within such documents.

EPA has twenty (20) business days to respond to this FOIA request. Sunnyside Gold Corporation confirms its willingness to pay reasonable costs associated with searching for, and copying the requested material; however, should these costs exceed \$250, please contact me prior to proceeding.

Please contact me with any inquiries, notices or determinations at the address or telephone number above or by email at [Nathan.Longenecker@Kinross.com](mailto:Nathan.Longenecker@Kinross.com).

Sincerely,



Nathan Longenecker  
Vice-President and General Counsel